Previous references. 1910

~~190~~

(Agri

File No. 95

Serial Nos. 1--15

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—15

Part B. for December 1913

SUBJECT,

Theft of cash in the Agricultural Chemist's Office.

1. From the Mycologist-Entomologist—No 3818 of 2/2/13 Reports the occurrence of theft of cash in Office and requests that a small sum advance may be sanctioned to make the disbursements of the Office until

2. To the Comptr & Mycologist—No R4547—8 of 7.2.13 Sanctions the advance of Rs 604 noted to be debited subject to adjustment & reports the full Rep. of the circumstances which the theft took place.

3 From the Officer in charge of the Agl Chemist's Office No 1080 of 27/2/13 States that no report from the Police Department has been received as yet in the matter.

G. R. S. 58

4 To the I. G. of Police, No R6699 of 12/6/13 calls for a report of the investigations in the case in question.

F

5 From the I.G. of Police, No 3331 & 26/2/12
submits a report after investigation of the case

6 To the Registrar Chief Court, No R5711 & 15/4/12
calls for a copy of Judgment relating
to the above case

7 From the Registrar Chief Court, No 4022-290 &
17.4.12. States that the judgment called for
is published in the Mysore Chief Court
Report Vol XVII

8 To the Dt Magte Bangalore, No R 6145 & 3/4/12
calls for a copy of City Magts Judgt
convicting Velayudam

9 From the Dt Magte, No 418 & 20/5/12
forwards a copy of the Judgt called for
in 8.

10 To the I.G. of Police, Dt Magte Bangalore &
Dt in ch of Agl Chemist's Office.
No R 364-6 & 20.7.12
Calls for further report in regard to case

11 From I.G. of Police, No 311-34 & 17/7/13
Reports the result of the prosecution
of Velayudam &c

12 To the I.G. of Police, No R 1258-99 & 18/7/13
Director of Agre Records &c

13 From I.G. of Police, No 1327-48 & 12/9/13
Returns the investigation & incidental
papers &c

14 From the Director of Agri No 820 & 12/9/13
Requests that the advance of Rs 604 &c
may be written off in the accounts

15 To the Director of Agri & Comptroller I.G. of Police
No R 4301-3 & 6/12/13 Sanctions the
writing off in the accounts the amount
advanced &c

GENERAL AND REVENUE SECRETARIAT

(Pol)

NOTES.

File. No. 95-11

FILE HEADING.

Theft of Cash in the Agrl. chemists office

From

The ~~Officer~~ Mycologist & Entomologist

No. 381 Dated 2-2-11 Received 3-2-11

Diary No. 3797	Enclos—	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Reports that the office was broken into on the night of the 1st Feb. 1911 and a small table cash chest containing a Sum of Rs 604-1-9 was stolen away and requests that the Sum lost may be advanced to him in order to enable him to make disbursements

NOTES AND ORDERS.

Secretary's order on the letter:—

1. Put up draft Sanctioning an advance of the amount subject to adjustment

(2) C. S. B
3-2-11.

2

Draft submitted

Sec 3-2-11

(3) 3-2-11 Key/ 3/2/11. Dewan

BK 3/2/11

10022

3.2.11.

Draft 3/2/11

Notes—First sheet.

GPR—30,000—20-3-06.

G.R.S. 12]
General and Revenue Secretariat.

Mr File No. 95 of 1910

Serial No.	
3	Draft rept by Mr D'Souza ZY 7/2/11 4. Issue MB 7/2/11 7/2/11
2	To the Comptroller Myso Rojist & Enthumrojith Lo. no R4547-d of 7.2.11 Requests the Comptroller to place an amount of Rs 604-1-9 at the disposal of Dr Coleman Subject to adjustment and awaits the full report of the circumstances under which the burglary took place & of the result of the investigation thereof. A reminder calling for the early submission of the report was issued No. R6404 dy 26.5.11

NOTE—Contn. sheet.

GPB—55,000—27.4.09

G.R.S. 12
General and Revenue Secretariat.

File No. 95 of 1910

Serial No.	
3	From the officer in charge of the Asst Chemist's office - No 1080 & 27.5-11 States that he has not yet received any report from the Police in the matter of the burglary committed in his office on 1-2-11 and he is unable to state anything more in the matter than what is stated in his letter no 381 of 2-2-11 (8 no 1). 5. Subd for orders Put 6/11 (55) 5/6/11 6. Please call the I. G. Police what has been done in the matter. It does not look well that a burglary committed in a public office should go undetected
Draft 7	6/6/11 Draft Subd Put (55) 6.6.11 8. Issue
4	To the I.G. of Police vide 6655 & 12-6-11 Calls for a report of the investigation of the case of theft referred to above

NOTE—Contn. sheet.

GPB—55,000—27.4.09

G. R. S. 12]
General and Revenue Secretariat.

Apn File No. 95 of 1912.

Serial No.	
5	From the D.G. of Police No 3331-408 & 26.2-12 States that the property stolen consisted of some cash & stamps which are unidentifiable and 3 currency notes of the value of Rs 100/- each, that of these 3 notes one was traced to a Sepoy Velayudha in the Q.O.S. of Miners at Bangalore C&M station and that this Sepoy was arrested and placed before the City Magistrate Bangalore, who convicted him for an offence under Sec 411 of the Indian Penal Code and sentenced him to one years rigorous imprisonment, and adds that further investigation is being conducted with a view to trace the other 2 notes to the guilty party 9. Subd for information Call (55) 1-3-12 (191 Secy) 1/3/12 10. I believe that on appeal the Chief Court quashed the conviction on some technical ground 11. Subd to Devan (Penal) CSB 29/3/12 12 Please call for the Chief Court proc[illegible] - What is the date of sentence?
3767	
492 31.3.12	

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

April File No. 95 of 1910

Serial No.

Can any one be made accountable Receipt?

Dy Supdt

Pa R

B r T

Early

Chs

10/4/12

13.

Draft calling for a copy of the Chief Court's Judgt. to submit for order.

2/Misc-35
11/4/12

Cl (9) 14 Jan

11/4/1

Dy

6 To the Registrar Chief Court

No R 5711 & 15-4-12

Requests that a copy of the judgment of the Chief Court on appeal by one Velayudam who was convicted by the City Magistrate of the offence of house breaking and theft in the Govt Chemists' Office at Bangalore, may be forwarded.

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]

General and Revenue Secretariat.

Agra File No. 95 of 1910

Serial No. 7

From the Registrar, Chief Court No 4022-290 S. 17-4-12.

States that the copy of judgment referred to in 8 no 6, is published in the Allyne Chief Court Report Vol XVII Part IV page 77.

15. A copy of the Allyne Chief Court Reports containing the judgment referred to is obtained from Br III and Rubd herewith: (Vol. XVII Pt IV Pp 774)

Flag A Returned to Br III on 14/12/12

16. Please see Deman's order S 8-4-12 Pp 4-5 supra.

17. The total loss to Govt is, as reported in 8 no 1, Rs 604-1-9 of which Rs 4-15-0 represent the value of Receipt & postage stamps, Rs 599-2-9 being in cash & currency notes.

18. Dr Coleman has also reported in the same letter (8 no 1) that as far as he can see he does not know who could be held responsible for the loss of the money.

Subd. 88-16-19

Sass. Please send for a copy of the City Magistrate's judgment

(53) 24/4/12

JWK

25/4/12

NOTE—Contn. sheet.

GHB—20,000—20-1-12

G. R. S. 12]

General and Revenue Secretariat.

Apl File No. 95 of 1910

Serial No.	
	22 Draft to the Dt Magte Bangalore, is submd
	Case of (55) 25/4/12
	21 Mun & 25/4/12
8	To the Dt Magistrate, Bangalore Dr No R 6145 dt 30.4.12 Calls for a copy of Bangalore City Magistrate's judgment convicting one Velayudam under sec 411 of IPC & sentencing him to one year's rigorous imprisonment in connection with the case of theft in the Hyd chemists' office on 1-2-11.
9	From the Dy Comm. Bangalore no 418 dt 20/5/12. Forwards a copy of the City Magte's judgment as called for in 8 ref 8. 22 Submd for orders Case (55) 25-5-12 CA 191 23. The total loss of the safe was Rs 664-1-9. The amount was kept in a table cash chest which was found open. The Hyd Chemists was not then provided with a safe. It is not stated whether any persons are

NOTE—Contn. sheet.

G. R. S. 12]

General and Revenue Secretariat. | Agr File No. 95 of 191 D

Serial No.

made a check in the Agricultural Chemist's Office during night. From the City Magistrate's judgment it appears that the money was kept in the cash chest by P.S. Ramasamiyer Hd Clerk & the Asst Chemist then after making the disbursements for the day. He seems to have secured the money as usual and cannot therefore be considered guilty of any outward way negligence or carelessness. The amount will have to be written off.

24. From the City Magistrate's Judgment & the Ch Court Judgment it is clear that the investigating the case by the Police cannot be considered satisfactory. The City Magistrate believes that the currency-note which was one of the objects of the theft was delivered to the accused Velayudhan by one Rajagopalan. The delivery of the above article took place no doubt in the C.M.S Station but with this evidence it was much easier to fasten Rajagopalan with the

NOTE—Contn. sheet.

G. R. S. 12]

General and Revenue Secretariat.

Apl File No. 95 of 1910

Serial No.

327

theft than Velayudam & the Police should have tried to collect evidence against the latter instead of busying themselves in a hurry to charge Velayudam.

25 The I. G. of Police may be requested to take steps to become acquainted with the further investigation which is being made & learn the other two notes and why the Upenna has not been detected.

Key

H/5/12

26 The amount may be ordered to be written off.

Dewan

17/5/12

14-6-12

27 The Inspector General of Police should be asked to report the result of the further investigation as regards the remaining two currency notes. It is hoped that intimation of the missing notes has been given to the Currency Office.

28 The result of the Prosecution is far from creditable to the investigating officer concerned. What is there to prevent Alagiriswami being now proceeded

NOTE—Contn. sheet.

G. R. S. 12]

General and Revenue Secretariat. | Apl File No. 95 of 1910

Serial No.	
557	proceeded with in our Courts for theft or in the Courts of the Civil and Military Station for receiving stolen property?
	29 Pending the further investigation and final result of any criminal Prosecutions that may arise therefrom, there need be no hurry to write off the amount.
	30 Put up Draft. Reply.
	31 Draft Sub Lay (55) 6.7.12 8.14 7.7.12
	32 approved Sec/ 9/7/
	10 To the I.G. of Police Dt. Magistrate, Bangalore Officer in charge the Govt. Chemist's Office Lr no. R 3464-6 of 20-7-12

NOTE—Contn. sheet.

G. R. S. 12]

General and Revenue Secretariat.

Agn File No. 95 of 1910

Serial No.	
	Requests the I. G. of Police to report the result of the investigation in regard to the other two currency notes; observes that the result of the prosecution reported for Rs 45 is far from creditable to the investigation officer concerned and calls for a report as to whether Alagirisami (1st defence witness in the case) may not be proceeded with in the Mysore Courts for theft or in the Courts of the C & M Station for receiving stolen property.
11	From the I. G. of Police in Mysore No 311-34 & 17-7-13. States that the accused Alagirisami who was acquitted by the Chief Court for want of jurisdiction has been convicted by the Sub-Magistrate of Gudigattam & sentenced to undergo 3 months rigorous imprisonment; that the question of prosecuting Alagirisami had to be dropped for want of evidence; and that in regard to the other 2 currency

NOTE—Contn. sheet.

GPB—65,000—17-8-12.

IX 36

G. R. S. 12]

General and Revenue Secretariat. | Agr File No. 95 of 1910

Serial No.

Note, further investigation is being made and the result will be communicated on receipt of a report from the Dt Supt. of Police.

33 Subd for orders

Para (55) 22-7-13 SS 25/7/13 Secretary

bm 26.7.13.

34 This may be recorded & the further report promised by the DP awaited.

CSJ 2/8/13

35 Draft Ltr

Para 4-8-13 SS 5/8/13

36 Issue

bm 6/8/13

12 To The D.P. of Police in hyme
" Dir. of Agr " "
Lr no R 1258-9 d 9.8-13
Records Sl no 11 and awaits the further report promised therein.

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

G. R. S. 12]

General and Revenue Secretariat. | Aff. File No. 95 of 1910

Serial No.	
13	From the D. G. of Police in Despatch Letter no 1327-148 dt 12-9-13 with refce to Sl no 12, states that the Dt Supt of Police reports that the currency notes in question have been traced to the currency office and that efforts to trace two of the notes to dishonest possession have been of no avail.
14	From the Director of Agriculture Letter no 820 dt 12-9-13. Requests that the advance of Rs 604-1-9 outstanding against him may be ordered to be written off the accounts.
	37 In his letter, Dr Coleman made his observations on two points:-
	38 Firstly in regard to the Police having closed the case against Defence witness Alagirisami. On a perusal of the City Magistrate's judgment, Govt themselves asked the D. G. of Police to arrange for this man's prosecution. But the D. G. reported that the prosecution had to be dropped as instructed by
Sl no 10	
Sl no 11	

NOTE—Contn. sheet.

GPB—65,000—17-9-12.

G. R. S. 12]

General and Revenue Secretariat. | Agr File No. 95 of 1910

Serial No.

the Govt. Advocate, for want of sufficient evidence to warrant a conviction. Dr Coleman observes that the grounds for this opinion have not been stated and that a case could have been made out against Alagirisami at least for perjury. The main point is that as Alagirisami first admitted that the currency note was given by ~~the~~ him to Velayudam; the prosecution against him could have thrown some light as to the real culprit who stole the property. This point has not been clearly explained in the correspondence received from the D. G. of Police.

2. Secondly Dr Coleman refers to the omission by the Mysore Police to have moved for the payment of compensation. The Dt. Supt. of Police has thrown the blame on the head clerk of the Agl chemist's office for this omission. Dr Coleman strongly resents in this statement as neither the head clerk nor himself was consulted in the conduct of the case and the head clerk helped in the case only in so

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

R. S. 12]

General and Revenue Secretariat.

Apl File No. 95 of 1910

Serial No.

far as he had to give evidence before the Magistrate. It is the Mysore Police who were instructing the British Police in the prosecution of Velayudam in the Cudigattam Magistrate's Court and if the offence is one falling under S. 545 of the Criminal Procedure Code in regard to the payment of compensation to the party injured, the Mysore Police should have moved in the matter.

40 It is a question whether the Govt Advocate may be consulted as to whether the case was one in which the Magistrate had jurisdiction to inflict a fine and order the payment of compensation and if it is so, the Police Deptt may be asked why they did not move in the matter.

41 In regard to the other two currency notes the D.G. of Police reports that efforts to trace them to dishonest possession have been of no avail.

42 Orders have to be passed in regard to the amount of Rs 604-1-9 being written off the accounts, as so far

NOTE—Contn. sheet.

GPE—61,000—17-6-12.

1916

R. S. 12]

General and Revenue Secretariat. | File No. 95 of 191 0

Serial No.

7L min 411-13.

the real culprit has not been traced and there is no likelihood of the money being recouped to Govt- to any extent.

Pais amr 28/9 43

17.9.13

The amount may be ordered to be written off the accounts; as any further proceedings are not likely to lead to any useful results.

Secretary. hm 21-9-13.

Recd 25/9

44. Yr - I think to -

Mr BVN

Bill for opinion

CBS 27/9/43 hm

Subd

45 Under the circumstances explained there is no help but to write off the loss

Chn 27/9. DW 30/9

hm 30.9.13

46 Please put up a draft order accdgly. hm 2.10.13.

47 Draft order is subd

Pais 6.10-13 Secretary hm 6.10-13

Ind 11.10 6343 Dewan)

2-12-13

CBS 9/10/43 hm

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

● R. S. 12] 1996

General and Revenue Secretariat. — File No. 91 of 191

Serial No.	
	Draft approved by Dewan 2.12.13.
	Issue CSB 2/12/13
B1	
15	To The Director of Agri. Comptroller to post- D.G. of Police. Fd. no R 4301-3 dy 6.12-13 Sanctions the sum of Rs 604-1-9 outstanding against the Director of Agriculture being written off the accounts.

NOTE—Contn. sheet.

GPE—61,000—17-6-12.

13797

190

From
Leslie C. Coleman, Esqr., M.A., Ph.D.,
Mycologist & Entomologist
to the Government of Mysore

To
The Secretary to the Govt. of
His Highness the Maharaja of Mysore
Genl & Rev. Departments.

Dated 2-2-11

Despatched 3-2-11

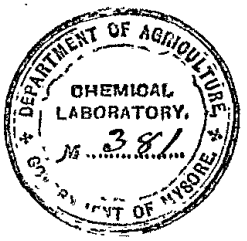
Received

General No. 381
No.

Enclosure No. Nil

Requesting sanction of Government for the early replacement of a sum of Rs 604-1-9 which was stolen away by forcing the cash chest from the table which it was fastened to.

GPB—70 reams—27.12.09



Very Urgent Agri 95-10-861

2

Office of the Mycologist & Entomologist,
Government of Mysore,
Bangalore, February 2nd 1911.

From

Leslie C. Coleman, Esq., M.A., Ph.D.,
Mycologist & Entomologist to the Government of
His Highness the Maharaja of Mysore, Bangalore,

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Genl. and Rev. Departments, Bangalore.

Sir,

I regret to have to state that this office was broken into last night and a small table cash chest containing a sum of Rs. 604-1-9 as per details given below was forced from the table and carried away. This incident was noticed for the first time when two of the clerks came and opened the door of their office room as usual at about 11 A.M. ~~xxxxxxxxx~~ today, and found it broken into. Immediately after I was notified about the matter I saw the scene of occurrence and gave intimation to the Superintendent of Police and the Police are now investigating the matter.

Undisbursed pay		526- 8- 0
Government cash		
Receipt stamps	1-15- 0	
Postage stamps	3- 0- 0	
Cash	72-10- 9	78- 9- 9
		~~xx60xxxxx9~~ 604- 1- 9

As far as I can see I do not know who could be held responsible for the loss of this amount but that ~~should~~ can be determined only after the Police close ~~thier~~ their investigation. In the mean time as I have to make disbursements and I have no cash left in the office I request that you will be so good as to obtain the

early sanction of Government to replace the sum lost. The manner of its adjustment has to be decided later.

I have the honor to be,

Sir,

Your most obedient servant,

Leslie Coleman

Mycologist & Entomologist.

G.R.S. 28.]

agri

File No. 95—10

Serial No. 2

Diary No. of letter replied to 3797

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

( )

, the 19

Date of issue 7-2-11

Signed by

	Rs.	A	Ps
Undisbursed pay.	526	8	0
Receipt Stamps valued at	1	15	0
Postage Stamps valued at	3	0	0
Cash -	72	10	9
Total Rs	604	1	9

READ— Letter no 381 of 2-2-11 from the Mycologist & Entomologist to Govt, reporting that his office was broken into & a table cash chest containing a Sum of Rs 604-1-9 as per particulars noted in the margin was stolen away and requesting sanction to an advance of the said amount, being placed at his disposal subject to adjustment in due course, as he has to make disbursements

ORDER THEREON.—No.

over

SUBJECT.

GPB—5,000—7-5-09

Order thereon. No 4547-D

Dated. 7/2/44

The Comptroller is requested to place an advance of Rs 604-1-9 at the disposal of Dr. Cleman, Subject to future adjustment. A full report of the circumstances under which the burglary took place & the result of the investigation is awaited

OFFG Secy

To 3/2/44

The Comptroller, Mysore Govt.

Psychologist & Entomologist

Copy

(55) 3/2/44

7/2/44

23/5 (4-5

G.R.S. 26]

Agri File No. 95-10
Serial No. ——

Diary No. of letter replied to——

No. A6404

General and Revenue Secretariat
( )
, *the* 19 .

To
The Officer in charge of
the Govt Chemist's Office -

Date of issue 26th May 1911

Signed by W.R.G. D'souza.

Sir,

I am directed to
invite your attention to G.O.
No. 4517-8/Agri 95-10-2 of
7.2-11 calling for a full report
of the circumstances under
which burglary took place in
your office on 1-2-11 and of
the results of the investigation
thereof, and to request

over.

SUBJECT.

you to be so good as to submit the said report at a very early date for the information of Govt.

I have &c

for Secy
25/5/71

Rain
(53) 28/5/74
CL

List of enclosures,

Copied by Malkhumanda 28/5/74

Examined by

GPB—20,000—25-9-10

DEPARTMENT OF AGRICULTURE
CHEMICAL LABORATORY.
No. 1080
GOVERNMENT OF MYSORE.

Agri 95-10-813

Office of the Agricultural Chemist,
Government of Mysore,
Bangalore, May 27th 1911.

From

Leslie C. Coleman, Esq., M.A., Ph.D.,
Mycologist & Entomologist in charge of
the Agricultural Chemist's office, Bangalore,

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Genl. and Rev. Departments, Bangalore.

Sir,

In reply to your letter No. R.6404/Agri.95-10 dated 26th May 1911 calling for a report of the circumstances under which burglary took place in my office on the 1st February 1911 and of the results of investigation thereof I have the honor to state that in the absence of a report from the Police which has not yet been received by me I am unable to state anything more in the matter than what I have stated in my letter No. 381 of 2nd February 1911.

I have the honor to be,
Sir,
Your most obedient servant,

Leslie C. Coleman

For Agricultural Chemist,

G.R.S. 26]

agri File No. 95-10

Serial No. 14

95

Diary No. of letter replied to 5751

No. 26699

General and Revenue Secretariat

( )

, the . *19* .

To

The I.G. of Police in Mysore.

Date of issue 12.6.11

Signed by Mr P.G. D'Souza

Sir,

I am directed to State that the office of the Asst Chemist in Mysore was broken into by burglars on the night of the 1st Feb last and a Table cash chest containing a sum of Rs 604-1-9 in cash & Stamps stolen therefrom. The Police took the investigation of the matter on the 2nd ~~Feb.~~ idem and it is now reported by

over.

SUBJECT.

the officer in charge of the Agl. Chemist's office that he has not been furnished with any report from the Police in the matter, I am to request that a full report of the investigation in the case & the results thereof may be sent up at an early date for the information of Govt.

I have &c

Patl (55) 6.6.11

for Offg Secy 6/6/11

List of enclosures,

Copied by 10/6/11

Examined by

GPB—20,000—23-9-10

OFFICE OF THE INSPECTOR-GENERAL OF POLICE IN MYSORE,

No. 3331/408 *Dated Bangalore,* 28th February 191 2

DIARY No. 3867

FROM

C. Srikantesvara Aiyar Esqr., B.A.B.L.,
Offg: *Inspector-General of Police in Mysore.*

1914-19
E TION
FILE No. 95-10
SERIAL No. 5

To

C.S.Balasundaram Aiyer Esquire, B.A.,
Offg: *Secretary to the Government of H. H. the Maharaja of Mysore, General and Revenue Departments.*

Sir,

With reference to your letter No.R. 6699/Agri.95-10-4 dated 12-6-1911, calling for a report of the results ~~of the results~~ of investigation in the case of House-breaking and theft that occurred in the Agricultural Chemist's Office, Bangalore, I have the honor to state as follows:-

2. The property stolen in the case consisted of cash and stamps which are identifiable and three currency notes (bearing numbers noted in the margin) each of the value of Rs.100/-. Information was received that all these notes were presented at the Paper currency Office at Madras and cashed.

1.B.B./69. 44052.
2. B.B./69. 91560
3. B.B./69. 94551.

I

27-2-12

191 —19

Secy | A/12

FROM

The Inspector-General of Police in Mysore.

To

The Secretary to the Govt. of H. H. the Maharaja of Mysore, Gen. & Rev. Depts.

Dated 26th February 1912

Despatched

Received

General No. 3331

No. 408

Enclosure No.

Reporting the result of investigation in the theft case in the Agricultural Chemist's Office.

GPB—300—7-12-11

These notes bore the signatures of several persons residing in various places of the Madras Presidency.

3. Of the 3 notes only one, that bearing No. B.B./69. 94551, was traced to a sepoy, Velayudam, in the Queen's own sappers and miners at Bangalore. It was also ascertained that, shortly after the occurrence of the case, this sepoy left Bangalore on 3 days' casual leave, paid a visit to Viranchipuram, where, on 6-2-1911, he cashed the currency note and on the same day sent a money order for Rs.85/- to a sowcar in the C. &. M. Station.

4. This sepoy was arrested and placed with a charge sheet before the City Magistrate, Bangalore, who convicted him for an offence under section 411 I.P.C. and sentenced him to one year's rigorous imprisonment.

5. Further investigation is being conducted with a view to trace the other 2 currency notes to the guilty party.

I have the honor to be,

Sir,

Your most obedient servant,

Offg: Inspector-General of Police

G.R.S. 26]

12/4

File No. 95-10
Serial No. 6

Diary No. of letter replied to 3867

No. R. 5711

General and Revenue Secretariat
(Agri)
, *the* 19 .

To

The Registrar
Chief Court

Date of issue 15-6-12

Sir,

Signed by Hon. R. G. D'Souza

I am directed to state that in a case of house breaking and theft that occurred recently in the Agricultural Chemist's office, Bangalore, one Sepoy Velayudam in the R. C. S. & Miners reading in C. & M. Station, Bangalore was convicted & sentenced

over.

request you to kindly forward a copy of the judgment of the Ch Court on appeal by one Velayudam a sepoy of the R. C. S & Miners who was convicted by the City Magistrate of the offence of house breaking & theft in the Agricultural Chemist's office at Bangalore

I have &c.

SUBJECT.

14/4/12

(5)

to one year's rigorous imprisonment by the City Magistrate Bangalore and that on appeal, it appears, the Chief Court quashed the conviction on some technical ground. I am directed to request that a copy of the Chief Court's Judgment may be kindly forwarded to this office for reference.

I have &c.

for Secy.

1981-35 Cd 11/4/12 69

List of enclosures,

Copied by

Examined by

GPB—20,000—25-9-10

No. 402/90

Chief Court of Mysore,
Bangalore, 17th April 1912.

From

The Registrar of the
Chief Court of Mysore.

L 879

DIARY No.....

1910-1911
Agri.
P. L. No. 95-10
Dated 18. 7

To

The Offg: Secretary
to the Government of Mysore,
General and Revenue Departments.

Sir,

Adverting to your letter No. R. 5711/Agri: 95-10-6, dated the 15th Instant, I am directed to state that the copy of Judgment required therein is published in the Mysore Chief Court Reports Volume XVII, Part. II, page 77.

I have the honor to be,
Sir,
your most obedient Servant,

Registrar.

Offg.

G.R.S. 26]

File No. 95-10

Serial No. 8

Diary No. of letter replied to 4879

No. R. 6145

General and Revenue Secretariat

(agt)

, *the* 19 .

To

The District Magistrate

Bangalore Dt.

Date of issue 30-6-12

Signed by Mrs P. E. D'Souza

Sir,

I am directed to request you to do so good as to forward for the information of Govt, at a very early date, a copy of the Bangalore City magistrate's judgment convicting one Velayudam a sepoy in the Queen's own Sappers & Miners Regiment

over.

SUBJECT.

Calls for a copy of Bangalore city magts judgment convicting one Velayudam under S. 461 of the I.P.C in connection with a case of theft in the Asst Chemist's office on 1-2-11

C. & M. Station, Bangalore for an offence under Sec. 411 of the Indian Penal Code, in connection with the case of theft of goods in the Agl. chemist's office, Bangalore, on the 1st Feb 1911, and sentencing him to one year's rigorous imprisonment.

I have &c

for Agl Expert
25/4/11

List of enclosures,

Copied by 2.9.11

Examined by

GPB—20,000—23-9-10

Office of the Deputy Commissioner,
Bangalore District.

Dated Bangalore, 20th May 1912.

S. No. 418 Encl file

DIARY No. 5369 R

19/10/1911
SECTION agri
D. O. No. 95-10
Serial No. 9

From

B.J.Kumaraswami Naik Esq., B.A.,
Deputy Commissioner, Bangalore District.

To

K.R.Sreenivasa Iyengar Esq., M.A.,
Offg: Secretary to the Government of H.H.
the Maharaja of Mysore, Genl and Rev.Deptts.

Sir,

With reference to your letter No.R.6145/Agri.95-11-8 of the 30th April last, I have the honor to forward herewith a copy of judgment in Criminal case No.423 of 1911-12 on the file of the City Magistrate, Bangalore.

I have the honor to be
Sir,
Your most obedient servant.

Deputy Commissioner,
Bangalore District.

I/2/5 914 19

From The District Magistrate Bangalore

To The Secretary to the Govt of Mysore - Jl & Rev. Depts - Bangalore

Dated 20-5-12

Despatched 21-5-12

Received

~~General~~ No. 418

Enclosure No. 1 file.

Letter No R. 6145 of Agel 95-11-8

30. 4. 12.

Submitting copy of Judgement in criminal case No 423 of 1911/12 on the file of City Magistrate Bangalore &c &c

---

GPB—1,50,000—20-3-11

In the Court of the City Magistrate
Bangalore

Dated 3rd January 1912

Criminal case No. 423 of 11—12

Complainant Accused
City Police Valayadaim

The prosecution examined.

(1) Mr C.S. Ramaswamy Iyer

(2) Rangasamy Iyengar

(3) Kuppasami

(4) Devasikhamani Mudaliar

(5) Narasimhachari

(6) Mr Devasahayam

and the following Exhibits were filed.

Exh P1 a Post card

Exh P.2 Money order Receipt

Exh P3. An Extract

Exh P.4 a receipt

Exh P.5. a certificate

and produced Acts 1, 2, 4 3 three currency notes.

The accused pleaded not guilty and stated that he did not steal, that the Reservist Sapper and Munier Alagesami brought and gave the one hundred currency note to him, that the said note was given to him on 5th February 1911 at about 8.30 when he was going to train, that Venkatasami and Ishak Bux were present then, that he had borrowed Rs 85 for Alagesami and his brother from Tarachand, that the debt due to Tarachand was in his name, that he was asking Alagesami to pay this money, that on the night of the 5th February he brought and gave him a hundred Rupees currency notes that he cashed the hundred Rupee currency note from Devasikhamani Maidaliar and sent a money order of Rs 85 to Tarachand from Virancheepuram Post office, that he appropriated the balance to himself, that he is unaware how Alagesamy came by the note, that a month after he sent the money

order

order Rajasetty asked him whether Alagasamy gave him a hundred Rupee currency note and that he told him it was so, that he asked for the card written to Kuppasami that as Alagasami said that he settled the matter by paying Rs 15, he wrote to Kuppasami a card stating that the case was dismissed, that his witnesses are Alagasami, Venkatasami, Saba Bux and Rajasetty and that he had nothing more to say.

The Defence Examined

(1) Alagiri Sami

(2) Venkatasami

(3) Ella Baksh

and Rajasetty, and filed Ex D1 a statement contradicting the 1st D.W.

Judgment

The Bangalore City Police charge the accused Velayudan, a Sepoy in the 2nd Madras, Queen's own Sappers and Miners D company, with theft of a currency Note of Rs 100 bearing Nos: BB 69 94551 from the office cash chest of the Agricultural Chemist's office on the night of 1st February 1911.

The admitted facts of the case are briefly as follows:— C.S. Ramaswami Iyer (P.W.1), the Head clerk of the Agricultural Chemist's office drew the salary of the officials of the Department for the months of January 1911, from the Mutzur Treasury on the 1st February 1911. On the close of the day the balance remaining in the cash chest consisted of three currency Notes of Rs 100 each, and a sum of Rs 304-1-9 in cash. The Nos of the Notes placed in the cash chest were BB 69 44052, BB 69 91560, BB 69 94551. The next morning the cash chest, fixed to the table had been removed, the table-drawers pulled out and the papers in it were found scattered on the

the floor. The three notes were obtained from the Paper Currency office and handed over to Rangasami Iyengar, (P.W.2) Head Constable for purposes of investigation. This witness has traced one of the notes, namely B/69 94551, to the accused. The back of this note (Ext 1) bears a Postal stamp of the Virinjipuram Post office together with a date-mark of 9th February 1911. The Post-Master of the Virinjipuram Post office, Narasimha Chari (P.W.5) deposes that this note was given him by Devasikhamani Mudaliar on the 7th February 1911 in payment of three money orders Nos 1190, 1191 & 1192 sent by him that day. The note was issued out of the office on the 9th February 1911. The Note Register (Ex P3) kept in the Post office is produced to prove these facts. Devasikhamani Mudaliar (P.W.4) whose signature is also seen on the back of Ext 1 under date 7/2/11 admits having given the note in payment of certain money orders he sent on the 7th February 1911. He says the note was given to him the previous day by the accused who was accompanied by one Kuppasami that was well-known to him. The accused and Kuppasami had come to him at

at Kavussampet on the 6th February 1911, and the accused wanted change for a hundred-rupee note. As he was accompanied by Kuppasami that was well-known to him the witness took the note and handed hundred rupees in exchange to the accused. Kuppasami (PW3) admits having accompanied the accused to Deva Sikhamani Mudaliar. The accused had come to him at Mudiriampet from Bangalore on three days leave in February 1911. He wanted to cash a hundred rupee note & was accordingly taken to Devasikhamani Mudaliar. The accused sent a money order for Rs 85 to one Sarach and of Bangalore with the money that had obtained in exchange for the note. The witness produced an acknowledgment of the money order from Sarach and (Ex P2) which was delivered to him after the accused had left Mudiriampet and which remained in his possession. The witness also produced a post card (Ex P1) alleged

to have been sent by the accused to the effect that a certain case was dismissed. The Sub Post Master Narasimha Chari (P.W.5) corroborates Kuppasami as regards the despatch of the money order for Rs 85/ to Jairachand of Bangalore by the accused on the 6th February 11 from the Virinjipuram Post office. He produces the money order receipt book (P4) in evidence of the despatch of such a money order bearing No: 1181. The receipt (P2) produced by Kuppasami is the acknowledgment of the money order No 1181.

The accused admits all the facts proved against him. It is quite true that he cashed the note (Ext No 1) with Devaraj Khannani Mudaliar and that he sent a money order for Rs 85 to Jairachand of Bangalore from the money he obtained in exchange.

The note was given to him by one Alagirisami on the night of the 5th February 1911 when he was going to the Railway Station in a Company with Venkatasami and Illabux. This was given in payment of a loan of

Rs

Rs. 85/- he had contracted with Karachan for the benefit of Alagiri Sami and his brothers. The accused cashed the note with Devasikhamani Mudaliar and remitted Rs 85/- to Karaichan and utilising the bala for his expenses.

The accused examined four witnes Alagirisami, his 1st witness denied having given the note to the accused. H deposed that he paid one hundred rupee to the accused in repayment of a loa that was due to him after having with drawn Rs 160 from the Shoolay Post office Savings Bank. The witness said that he paid Rs 100 to the accused some in cash & some in small note The Pass-book of this witness Exs: 39054 shows that he had with drawn Rs 160 from the Savings Bank on the 14th March 1911. I shall deal with the evi dence of this witness later on. Witnesses Venkatasami and Illatur who are alleged to have been present when Alagiri Sami handed over the note to the accused know nothing of it. Venkatasami says that he did not see Alagirisami hand over the note to

to the accused and that he did not accompany the latter to the Railway Station when he went on leave from Bangalore in February last. Illabux does not even know that the accused had gone on leave. He never accompanied the accused to the Railway Station on any morning in 1911. Both these witnesses only allege, that they saw Alagirisami seeking for the accused for as he said, the recovery of some money due to him. The last defence witness Raja Setti knows nothing more than the fact that the accused was demanding Alagirisami for the repayment of some money due to him, one day Alagirisami said that the money had been paid and the accused admitted having received his dues when the witness chanced to ask him about it sometime after.

The prosecution have traced the currency note to the accused. It is proved that the note was missed from the office of the Agricultural Chemist on the night of the 1st February 1911, and the accused who admittedly left

left Bangalore on the night of the 5th February 1911 had it in his possession at Mudivampet on the 6th February 1911. The accused says that the note was handed over to him by Alagiri Sami at 8.30 P.M. on the 5th when he was on his way to the Railway Station in company with Venkata-Saami and Illabux. These two men who were examined on behalf of the accused deny having seen the delivery. Alagiri Sami also deposes in Court that he never gave the note (Art. I) to the accused. But there is no doubt that he is not speaking the truth. For from the evidence of Mr Devasahayam (P.W.6) Subadar-Major it is clear that he gave quite a different version. When he was first examined before the Head Constable Rangasami Iyengar. The statement given by Alagiri sami before the Head Constable and attested by Mr. Devasahayam is Exhibit (Exhibit D). He there says that he did give the note BB/64 94551 to the accused on the 5th February 1911 at about 8.30 P.M.

and

and that he had obtained the note from the Shoolay Post Master on the 4th February 1911. when he withdrew some money from the Savings Bank. The story about the withdrawal from the Bank is false for the Pass-book shows no money was withdrawn till the 14th March 1911. She's Statement regarding the delivery of the note to the accused might either be true or might have been made to save a friend with whom there is ample evidence to prove he was moving pretty intimately. It is hardly likely that he could have been ignorant of the nature of the proceedings started by the Police when he gave his statement and it is, to say the least, improbable that he would have made an admission that would in all probability fasten the theft on him, if the admission was not in some sort true. As any rate the accused is entitled to the benefit of the exonerating statement first made by Alagiri Sami. The question now remains to consider whether the accused can be considered guilty of any

offence

offence even after the full benefit of the Statement of Alagiri Sami is given to him.

The conduct of the accused after the receipt of the note supposing he received it from Alagiri Sami, precludes any inference that he was not aware as to how Alagiri Sami came to have it. There is no doubt whatever that Alagiri Sami did not obtain the note honestly. In his statement before the Head Constable he says that he obtained it from the Sub Postmaster on the 4th February 1911 by withdrawing Rs 100 from his Savings Bank account to oblige his friend the accused. The story of the withdrawal is false for no money was withdrawn between the 1st February 1911 and the 14th March 1911. Instead of withdrawing any sum Alagiri Sami has credited Rs 115 on the 2nd February 1911 and Rs 50 on the 6th February 1911. It will be observed that the 2nd February is the very next day after the burglary at the Agricultural Chemist's office. Alagiri has

himself accounts for these large deposits for a man in his station in life by saying that these the moneys were left him by his brother who had died two months before. He says he deposited these moneys two months after his brothers' death in the Savings Bank altho' the debt of Rs 100 had to be paid to the accused because the accused had not demanded repayment. His statement before the Police Head Constable goes to show that he had an additional sum of Rs 100 - over & above the money he deposited. He paid Rs 100 to the accused on the 4th February and deposited Rs 165 into the Savings Bank between the 2nd and the 6th February 1911. He has himself admitted before the Police that the sum of Rs 100 he paid to the accused consisted of a single hundred rupee note that is identified by Ramasami Iyengar as having been lost from the Agricultural Chemists' office on the night of the 1st February 1911. The possession of the note by Aligiri Samii on the 5th February 1911 so resembly after the theft could not be regarded as honest. Neither could the possession of the

accused

accused be regarded as honest con-
-sidering his action after the receipt
of the note. He leaves the station on
three days leave cashes the note in a
strange place and sends a large
money order to his creditor at Bangalore
where he himself has to go in two days.
If the receipt of the money was honest
there was no need to send a money
order to Jarachand as the accused
knew that he would himself be in
Bangalore very shortly & could therefore
pay the amount personally & save
the money order commission. The sum
of the money order commission on
Rs 85/-, namely 0-14-0, is not inconsider-
-able for one in his station in life. It
does not appear that he sent the money
order to obtain a receipt by Post
from his creditor Jarachand. The
receipt was lying uncared for with
Kuppasami who produced it before
the Court. From the evidence of Kuppa
sami it does not appear that the accused
had any business at Mudduampet
where he went on three days leave
except that of cashing this note. The

Post

Post card (Ex P,) written by the accused to Kuppasami on the 21st November 1911 is a further evidence of his intention. He writes to say that the case is dismissed. Both the accused and Kuppasami say that the case referred to is the investigation started by the Police on the loss of notes. This is obviously written to quiet the fears of Kuppasami. The conduct of one who was deceived into taking possession of a stolen note could be far different from the one exhibited by the accused. The very fact that he knew that the investigations pursued by the Police as regards the theft of notes in the Agricultural Chemist's office had reference to the note handed to him by Kuppasami shows either that he was privy to the theft or that he knew that the note was stolen property. Now there is no obvious reason to connect the theft of notes in an office and delivery of one to the accused by Alagirisami. Although he must have become aware before the 21st November 1911 that the note given to him by stolen property, the

accused

accused took no steps to make a clean breast of the matter to the Police but retained the full advantage of the stolen property and sought to quieten the fears of an unsuspecting accomplice. Therefore although the accused might have been ignorant at the time of the receipt as to how Alagirisami came to obtain the note — which can hardly be considered likely considering his immediate subsequent conduct — yet there is no reason to doubt that he sought to retain the full advantage he had derived from the stolen property long after he became aware that the note was stolen.

From the evidence given on behalf of the prosecution a charge under Section 380 I.P.C. was framed against the accused. But the evidence of the Defence witnesses particularly that of Alagirisami disclosed that the more appropriate charge was of an offence under Section 411. Therefore a charge under Section 411 I.P.C was added under the provisions of Section 227 of the Criminal Procedure Code. Opportunity for

for the production of further evidence was given both to the prosecution and defence under Section 231 C. P. C. but no further evidence was given. The accused has nothing to add to his statement in plea to the charge under Section 411 I. P. C.

For reasons already stated, I convict the accused of an offence under Section 411 I. P. C. and sentence him to undergo rigorous imprisonment for a period of one year. He is acquitted of the charge under Section 380 I. P. C. The currency notes before the Court will be returned to the Police for being transmitted to the Paper Currency office from where they are reported to have been obtained.

(Sd) C. Ranganatha Rao Sahib
City Magistrate

Copy

C Ranganatha Rao Sahib
City Magistrate
Bangalore.

BRG

G.R.S. 28]

1617

File No. 95-10

Serial No. 10

Diary No. of letter replied to 5567

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.
(Agri)

, *the* 191 .

READ—

Letter No. 3331-408 dy 26th February 1912 from the Inspr General of Police in Mysore, Submitting a report on the result of the prosecution in the case of house-breaking and theft that occurred in the Agrl Chemists' office, Bangalore,

Date of issue 20.7.12

Signed by mr. pej. d'Souza

~~ORDER THEREON. No.~~

over.

SUBJECT.

on the 7st February 1911.

2. Letter No S. 418 d 20.5-12 from the Dy Comm. Bangalore dt, submitting a copy of the Bangalore city Magistrate's judgment in the case.

Order thereon. No R. 3444-6
Dated: 20.7.12

The I.G. of Police is requested to report the result of the further investigation which was stated to be being conducted as regards the remaining two currency notes. It is hoped that intimation of the missing notes has been given to the Paper currency office.

2. The result of the prosecution in respect of one currency note, reported in the I.G's letter read above is far from creditable to the investigation

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

Officer concerned. The I. G. of Police is requested to report whether Alagirisami (1st Defence witness in the case) may not be proceeded with in the Magistrate's Court for theft or in the Court of the Collector for receiving stolen property and to arrange to take such further action in the matter as may be necessary.

for C.P.S. Lewis 15-7-17

9/7/17

1 The I. G. of Police

2 The Dt. Magistrate, Bangalore Dt.

3 Officer in charge of the Agl. Chemist's Office

436
1913-14
SECTION Agri
FILE NO. 95-10
SERIAL NO. 11311
3.4

OFFICE OF THE INSPECTOR-GENERAL OF POLICE IN MYSORE,

Dated Bangalore, 17 July *1913.*

FROM

C. Srikantesvara Aiyar Esq., B.A., B.L.,

Inspector-General of Police in Mysore.

To

K.R. Sreenivasiengar Esq., M.A.,

Secretary to the Government of H. H. the Maharaja of Mysore,
General and Revenue Departments

SIR,

With reference to Government Proceedings No.R.344-6/Agri.95-10-10 dated the 20th July 1912 observing that the result of the prosecution in respect of a currency note stolen from the Agricultural Chemist's Office is far from creditable, I have the honor to state that the accused Velayudam who was acquitted by the Chief Court of Mysore, for want of jurisdiction, has duly been convicted by the Sub-Magistrate of Gudiyatham and sentenced to undergo three months' rigorous imprisonment.

2. As regards instituting proceedings against another Aligirisamy, the District Superintendent of Police reports that prosecution against him had to be dropped, as instructed by the Government Advocate, for want of sufficient evidence to warrant his conviction.

3. With regard to other two currency notes connected with the same case the District Superintendent of Police has been requested to report very early the result of further investigation which will be communicated on receipt.

I have the honor to be,
Sir,
Your most obedient servant,

C. Srikantaiyar

Inspector General of Police.

F/187 of Agri

19— 19

From

The Inspector-General of Police
in Mysore.

To

The Secretary to the Govt. of
H. H. the Maharaja of Mysore,
Gen. & Rev. Depts.

Dated 19 July 1913.

Despatched

Received

General No. 311/34

Enclosure No.

Reporting the result of further investigation in the case of house-breaking and theft that occurred in the Agricultural Chemist's Office, Bangalore, on the 1st February 1911.

GPR—300—15-2-11

Result of the prosecution for the theft of cash from the Agl. Chemist's office on 1-2-1[illegible]

G.R.S. 28]

File No. 95 20

Serial No. 12

Diary No. of letter replied to 436

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.
(Agri)

the 191 .

READ—

Letter no 311-34 dt 17-7-13 from the Inspector General of Police in Mysore stating, with reference to Go. no R 3464-6-Agri 95-dt. 10-9-12-7-1912 in the matter of the theft of cash in the Agl chemist's office which occurred on the 7th Feb. 1911, that the accused Kalayanda

over.

Date of issue 9-8-1913

Signed by Mr. B. Ramanaiya

~~ORDER THEREON.—No.~~

SUBJECT.

who was acquitted by the Chief Court of Mysore for want of jurisdiction, has duly been convicted by the Sub-Magistrate of Gudigattam and sentenced to three months' rigorous imprisonment; that the prosecution of Alagirisami, a defence witness, had to be dropped as instructed by the Govt. Advocate for want of sufficient evidence to warrant a conviction; and that with regard to the other two currency notes, the result of the further investigation will be communicated on receipt of a report from the Supt of Police.

Order thereon No. R. 1258-J

Dt. J — 8 — 1913

Recorded. The further report promised by the Inspr General of Police is awaited.

M 6/8/13

for Secy

GPB—20,000—2-10-11

To the I.G.P. in Mysore

" Dir of Agriculture in Mysore

Rly 6-8-13 8/8/13

OFFICE OF THE INSPECTOR-GENERAL OF POLICE IN MYSORE.

No. 1327/148 *Dated Bangalore,* 12/14 September 1913.

FROM

C. Srikantesvara Aiyar Esq, B.A., B.L.,
Inspector-General of Police in Mysore.

1901

13.14
Agri
95-10
13

To

K.R. Sreenivasiengar Esq, M.A.,
Secretary to the Government of H. H. the Maharaja of Mysore, General and Revenue Departments.

SIR,

With reference to Government Proceedings No.R.1258-9/Agri.95-10-12 dated the 9th August 1913, re the theft of cash and currency notes in the Agricultural Chemist's Office, I have the honor to state that the District Superintendent of Police, Bangalore District, reports that the currency notes in question have been traced to the Currency Office, and efforts to trace two of the notes to dishonest possession have been of no avail.

I have the honor to be,
Sir,
Your most obedient servant,

C. Srikantesvara Aiyar
Inspector General of Police.

I/1329 Pr 191 —191 .

Secy Agri

FROM *The Inspector-General of Police in Mysore.*

To

The Secretary to the Govt. of H. H. the Maharaja of Mysore, Gen. & Rev. Depts.

Dated
Despatched 12th September 1913,
Received
General No. 1329
No. 148

Enclosure No.

Re: the theft of cash and currency notes in the Agricultura Chemist's Office, Bangalore.

GPB—200—8-1-13

4

DEPARTMENT OF AGRICULTURE,
MYSORE STATE.

Bangalore,
Sept. 12th
.....*1913.*

No. 820

DIARY No. 1996

1913. 14
SECTION: Agri
FILE ... 95-10
SERIAL ... 14.

FROM

LESLIE C. COLEMAN, ESQ., M.A., PH.D.,
DIRECTOR OF AGRICULTURE IN MYSORE,
BANGALORE.

To

The Secretary to the Government of Mysore,
Deptts.:of Agriculture, etc.,
Bangalore.

SIR,

With reference to Government Order No. R. 4547-8/Agri. 95-10-2 of 7th February 1911, I have the honour to state as follows:----------

2 The Superintendent of Police, Bangalore District, to whom the case of theft in this office was reported, has furnished me with copies of Judgments of the City Magistrate, Bangalore, the Chief Court of Mysore and of the II class Magistrate of Gudiyatham, all relating to the prosecution of one Velayudam for being in possession of one of the currency notes stolen from this office. On going through these Judgments I cannot but feel that the Police have handled the case in a most unsatisfactory manner.

3 One of the stolen currency notes was traced to the accused Velayudam and he definitely implicated Alagirisamy as the person from whom he received it. The judgment of the City Magistrate which was quashed by the Supreme Court not on account of the evidence but of lack of jurisdiction, shows that the evidence heard by him implicated

GPB —1,000-14-3-13

Alagirisami still more. Alagirisami, first of all, admitted to Head Constable, Rangaswamy Iyengar, in the presence of Subadar-Major, Devasagayam, that he did give the note in question to Velayudam as stated by the latter. The City Magistrate further states.---- " There is no doubt whatever that Alagirisami did not obtain the note honestly. In his statement before the Head Constable, he says that he obtained it from the Shoolay Postmaster on the 4th February 1911 by withdrawing Rs. 100/- from his Savings Bank Accounts, to oblige his friend the accused. The story of the withdrawal is false for no money was withdrawn between the 1st February and the 14th March. Instead of withdrawing any sum, Alagirisami has credited Rs. 115/- on the 2nd February 1911 and Rs. 50/- on the 6th February 1911. It will be observed that the 2nd February is the very next day after the burglary at the Agricultural Chemist's Office"

.---------

Notwithstanding these and other damaging facts which have been established against Alagirisami, both Superintendent of Police and the Government Advocate appear to be of the opinion that no case can be made out against him. Unfortunately the grounds for this opinion have not been communicated to me nor do I of course profess to be conversant with Indian Law; but from the Judgment of the City Magistrate, it appears that Alagirisami must have perjured himself and that a case could have made against him on this score if on no other.

5 In the second place, although Velayudam was finally convicted by the II Class Magistrate, Gudiyatham, of receiving stolen property, no effort was made by the City Police to recover the value of the property in question. The explanation of the Superintendent of Police in this connection seems to me particularly feeble. In his letter No. 488/Mis. of the 20th August, Para 4, he states.---- " If compensation was desired from the accused, such application may (sic) have been preferred to the British Indian ~~Government~~ Police Officer, who had conduct of the prosecution of the case in the Court of the

Sub Magistrate, Gudiyatham. Ordinarily the Crown only prosecutes in all Criminal Cases and the injured party has to apply for personal compensation. I am not aware of such a desire being expressed by your Head Clerk who helped in the conduct of the case".

6 In other words, although the money in question was property of the Government of His Highness the Maharaja of Mysore, the Mysore Police who were instructing the British Indian Police in the conduct of the case took no steps towards recovery. The attempt to place the blame on the Head Clerk of this office on the plea that he "helped in the conduct of the case" is absurd. What is meant by the statement that ~~xxx~~ Head Clerk helped in the conduct of the case, passes my comprehension. Both he and myself took it as a matter of course that the Police would make every effort to recover the stolen property; neither he nor I are conversant with legal procedure nor was either of us consulted as to what should be done. As a matter of fact the Police did not request the Head Clerk of this office to be present on the last day of the hearing at Gudiyatham nor was he consulted in any way during the hearing except in so far as he had to give evidence. Personally I presumed and I still believe that it was the duty of the Police with their knowledge of law and procedure to take the steps necessary in moving for restoration of property.

7 In conclusion, I have the honour to state the sum of Rs. 604/1/9 which was advanced by Government, subject to future adjustment, is outstanding against me in the objection book of the Comptroller and he has asked me to adjust it. As from the action of the Police so far I do not think there is any chance of the recovery of the amount, I request you that you will be so good as to obtain the orders of Government to write the amount off the accounts.

8 I enclose herewith ~~xx~~ copy of last letter of the Superintendent of Police, Bangalore District, to me with reference to this case.

I have the honour to be, Sir,
Your most obedient servant
Leslie Coleman
Director of Agriculture

Urgent.

From

T. Thumboo Chetty, Esq., B.A.,

Superintendent of Police,

Bangalore District.

To the Director of Agriculture,

Bangalore.

Dated. 20th August 1913.

Despatched 21st

Received

General No. 488/Mis.

Sir,

In reply to your letter No. 458 dated the 6th instant, I have the honour to inform you as follows:----------

1. Velayudam was convicted of receiving stolen property under section 411 of the I.P.C.

2. Under section 545 of the Code of Criminal Procedure, the Magistrate had jurisdiction, and under the circumstances mentioned therein to inflict a fine and to give the aggreived party a compensation.

3. Under section 517 of the Code of Criminal Procedure the Magistrate could have directed the particular property in the case to be delivered to the aggreived party, but, that happens to be a cancelled currency note.

4. If compensation was desired from the accused, such application may have been preferred to the British Indian Police Officer who had the conduct of the prosecution of the case in the Court of the Sub Magistrate, Gudiyatham. Ordinarily the Crown prosecutes in all Criminal Cases, and the injured party has to apply for personal compensation. I am not aware of such a desire being expressed by your Head Clerk who helped in the conduct of this case.

5. As regards Alagirisamy, there is not a sufficiency of legal evidence for sustaining a successful prosecution.

6. In the matter of the investigation of this case the Police have done all they reasonably could under the circumstances.

I have the honour to be,

Sir,

Your most obedient servant,

Sd. T. Thumboo Chetty.

Superintendent of Police.
Bangalore District.

True copy.

Leslie Coleman

Director of Agriculture.

Sanctioning the writing off the accounts the sum of Rs 604-1-9 outstanding against Dr. Coleman.

(4)

G.R.S. 28]

3/12

File No. 95-10

Serial No. 15

Diary No. of letter replied to 1996

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.

(Agri)

, *the* 191 .

READ—

(1) G.O. no R 4547-8-Agri 95-10-2 dated 7th February 1911, requesting the Comptroller to place

Date of issue 6-12-1913

Signed by Mr. B. Ramaswamy Iyengar

ORDER THEREON.—No.

advance an ~~amount~~ of Rs 604-1-9, the amount of undisbursed pay etc stolen ~~away~~ from the Agricultural chemist's office on the night of the 1st/2nd Feb 1911

over.

SUBJECT.

at the disposal of ~~Dr. Coleman~~, the Mycologist & Entomologist subject to future adjustment.

2. Go. no. R 1258-9—Agn' 95-10-12 & 9.8-1913 recording the report of the Inspector General of Police stating that one Velayudam was convicted of receiving stolen property in respect of one currency note and sentenced to 3 months rigorous imprisonment by the Sub Magistrate of Gudiyattam

3. Letter no. 1327-148 & 12-9-13 from the I.G. of Police in Mysore reporting that efforts to trace two other currency notes to dishonest possession have been of no avail.

3. Letter no. 820 & 12-9-13 from ~~the~~ Dr. Coleman, Director of Agriculture

GPB.—20,000—2-10-11

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

in Mysore, requesting that as there is no likelihood of the stolen money being recovered, the advance of Rs 604-1-9 outstanding against him may be written off the accounts

Order thereon ✓

No R 4301-3

Dy 6—12—1913

Under the circumstances reported, Sanction is accorded to ~~the writing off the accounts~~ the amount of Rs 604-1-9 outstanding against ~~Dr Edwards~~ the Director of Agriculture. being written off the account.

2-12-13
RB

9/10/13
6.10.13. Secy to Govt
Dy

To the Director of Agri. in Mysore
" Comptroller to Govt
" I.G. of Police in Mysore

Pass
6.10.13